

1 UNITED STATES BANKRUPTCY COURT
2 EASTERN DISTRICT OF CALIFORNIA
3 MODESTO DIVISION
4

5 In re)
6) Case No.
7)
8)
9 Debtor .)
10 _____)
11) Adv. No.
12)
13 Plaintiff,)
14 vs.)
15)
16 Defendant.)
17 _____)

18 **STIPULATED TRIAL ORDER**

19 1. The parties agree that this adversary proceeding is eligible to be set for trial
20 pursuant to the Modesto Division's "Self-Set Trial Guidelines."

21 2. This adversary proceeding is set for a **[half day or one day]** trial on **[insert trial**
22 **date]**, beginning at **[insert time]**, and concluding at **[insert time]**. The parties have selected this
23 trial date and time from those offered in the court's Self-Set Trial Guidelines and they have
24 confirmed the availability of this date and time with the court's calendar clerk, Carlene Walker
25 (209/521-6899). This proposed order has been lodged within five business days of such
26 confirmation.

27 3. The trial will be conducted before Judge Michael S. McManus at the United States
28 Bankruptcy Court, 1130 12th Street, Suite C, Modesto, California.

1 4. The plaintiff will complete its case-in-chief and rebuttal case, including opening
2 statement, direct and cross examination of witnesses, and closing argument, within
3 **[minutes/hours]**. The defendant will complete its defense and surrebuttal case, including opening
4 statement, direct and cross examination of witnesses, and closing argument, within
5 **[minutes/hours]**.

6 5. Discovery shall be completed on or before **[insert a date at least 45 days prior**
7 **to the trial date]**.

8 6. Any right to a jury trial is waived by all parties.

9 7. The parties will fully comply with Local Rule 9017-1.

10 **[or]**

11 The parties will exchange and pre-mark their exhibits as required by Local Rule
12 9017-1. Also, ten court days prior to trial, the plaintiff shall serve and lodge proposed findings of
13 fact and conclusions of law, and five court days prior to trial, the defendant shall serve and lodge
14 proposed findings of fact and conclusions of law.

15 So stipulated.

16
17 _____
18 Attorney for the Plaintiff

Attorney for the Defendant

19 So ordered.

20 Dated:

21 By the Court

22
23 _____
24 Michael S. McManus
25 United States Bankruptcy Judge
26
27
28